

GENERAL REMARKS

Claim 57

Claim 57 was rejected under 35 U.S.C. §102(e) on the basis of it being anticipated by Okamoto (U.S. Pat. No. 6,572,660 B1, granted 6/3/03, filed 8/18/99, provisional filed 8/20/98). Applicants request reconsideration of this rejection for the following reason: Okamoto's invention, drag and link, clearly differs in structure from claim 57 since it requires exactly two user-inputs before it can be executed, whereas claim 57 recites only one.

Okamoto's two user inputs are called "source visual-element" (SVE) and "hypertext visual-element" (HVE). Okamoto creates a new link to a new context containing the SVE in step 318 (FIG. 15C), but not until after the SVE and HVE have both been specified by the user in steps 100 (FIG. 15A) and 304 (FIG. 15C).¹ The error in the OA is in the item comprising the last two lines of page 3 and the first paragraph of page 4: figures 8A-D in Okamoto do not disclose inserting said reference in the place of said removed used selected content (SVE), but rather, in place of his other user input, HVE.

In contrast, applicants' sole required user input, called "marked text" (MT), is all that is necessary for a functional hyperlink to be created according to the method of claim 57. Applicants submit that this reduced number of required user inputs is itself a novel physical feature which clearly distinguishes the claimed invention over Okamoto, and thus, serves to overcome any rejection based on §102(e).

Applicants further submit that the structural differences which characterize the claimed invention as a whole are not obvious under §103, for the following reasons:

1. claim 57 omits one element from the prior art without loss of capability. As argued above, claim 57 requires only one input, MT, whereas drag and link requires two, SVE and HVE. The method of claim 57 suffers no loss of capability as the blank underline that immediately appears in place of the MT is a fully functional hyperlink and will lead to the child context when selected, whether or not the user later decides to insert any linked text.

¹Steps 100, 304, and 318 are as follows:

"The drag and link process begins with step 100 in FIG. 15A where the user selects a source-visual element 20 (FIG. 2)" (col 9, lines 31-32).

"[When] the pointer is positioned over the target-visual element...[and] the Shift key is down (SKD)...the process defines the hyperlink-visual element and visually accentuates the HVE to indicate it is the hyperlink target, step 304" (col 10, lines 32-37).

"If the source object is a component within an existing document rather than a document, step 318, the process automatically creates a new document, moves the selected source object to this new document, removes the source object and its associated source-visual element, creates a hyperlink connecting the hyperlink-visual element to the newly created document, sets the document label to a representation of the hyperlink-visual element, and changes the pointer shape to a hyperlink hand" (col 11, lines 3-12).

2. Okamoto's SVE must be directly manipulated before a link can be created, while applicants' corresponding element, MT, requires no further direct manipulation at all.²
3. Okamoto states that his intention is to provide a method "for easily creating hyperlinks and hyperlinked documents...that is vastly simpler than the cumbersome process implemented by prior art systems" (col 1, lines 56-60). However, applicants simplify the number of steps required by the prior art in a way that is unmatched by Okamoto, even by his own criteria. Users skilled in the art will recognize that when the five step process³ ascribed by Okamoto to the prior art is cast in his own flowchart language, the prior art consists of 19 flowchart steps, in comparison to Okamoto's 12 for drag and link. In contrast, claim 57 would amount to only 3 of Okamoto's flowchart steps.
4. Okamoto's approach is based on lifting the familiar aspects of the conventional drag and drop operation to the domain of hyperlinking.⁴ The essential structural features of the conventional drag and drop operation which drag and link faithfully emulates are never questioned by him.⁵ In contrast, the method of claim 57 enables the creation

²Okamoto's SVE must be directly manipulated by 1) dragging it to a TVE; 2) pressing the shift key when the SVE is over the TVE to indicate the start of the HVE; 3) dragging the SVE, with the shift key still pressed down, to the end of the TVE to indicate the end of the HVE; and finally, by 4) dropping the SVE to actually execute the drag and link function.

³The prior art, according to Okamoto, consists of five steps (col 1, lines 27-40):

"[T]o create a hyperlink within a current document using a typical prior art system, a user is required to 1) first create a new document that will serve as the destination of the hyperlink; 2) in the current document, highlight a string of text specifying the location of the hyperlink; 3) select a menu or toolbar command that displays a file [sic.] selection dialog box; 4) enter the new document as the destination of the hyperlink in the dialog box; 5) press a button in the dialog box that closes the dialog box and saves the new document as the destination of the hyperlink."

⁴He expressly states at least seven times that his invention involves using the familiar method of the conventional drag and drop operation. (See sentence two of Okamoto's abstract: "A user can effortlessly create hyperlinks and hyperlinked documents...by simply pressing a predetermined key while dragging and dropping source-visual elements...onto target-visual elements...." See sentence three of his abstract: "The method and system is defined herein as a "drag and link" operation, enabling the user to create hyperlinks and hyperlinked documents from the direct manipulation of information with the familiar ease of the conventional drag and drop operation." See (col 1, lines 47-56): Okamoto restates sentences 2 and 3 of his abstract; see (col 2, lines 40-45): Okamoto restates sentence 2 of his abstract; see (col 2, lines 45-50): sentence 3 of his abstract is restated. See (col 3, lines 66 to col 4, line 5: "The preferred embodiment of the present invention, known as the drag and link operation, exploits the familiar ease of the well-known conventional drag and drop operation. Users skilled in the art will recognize the similarities between the drag and link operation and appreciate how these similarities contribute to the ease of use of the present invention." See (col 11, lines 58-64): "[T]he user can select, drag, and drop a source-visual element associated with a source object onto a specific location within a target-visual element associated with a target object, automatically creating a new document containing the source object and automatically creating a hyperlink connecting the target object and the new document.")

⁵Okamoto states the following implicit limitation on the scope of his invention:

"Those skilled in the art will appreciate the applicability of the present invention [drag and link]

of a functional hyperlink to a new context without recourse to the conventional drag and drop operation. Applicants submit that Okamoto thus teaches away from the method of claim 57.

5. There is nothing in Okamoto to suggest that drag and link can, or should, be modified to reduce the number of prespecified user inputs from two to one, before linking is enabled.
6. Even if it were suggested, reducing the number of required inputs from two to one would render drag and link inoperable and unfit for its intended purpose, unless extensive modifications were made. For unlike bud, drag and link cannot function if given only one user-determined element. Once Okamoto's SVE 20 (FIG. 2) is selected in step 100 (FIG. 15A) and designated as the first user input, the user must proceed to drag it onto an already existing target visual-element 22 (FIG. 2) in step 208 (FIG. 15B), and go through at least four more steps (steps 302, 304, 308, 310 FIG. 15C) before a hyperlink can be created in step 312 (FIG. 15C). If the target element does not yet exist, the user must create one; but then doing so cancels⁶ the selection of the SVE 20, made in step 100.

Therefore applicants respectfully request reconsideration of the rejection of claim 57, for all of the reasons given above. Applicants also request that if claim 57 is again rejected in view of Okamoto, that the Examiner please provide an explanation, i.e., a factual basis to support how Okamoto (or indeed, any other reference) could have anticipated, or made claim 57 obvious, at the time the claimed invention was made.

Claim 58

Dependent claim 58 incorporates all of the subject matter of claim 57 and adds additional subject matter, which makes it a fortiori and independently patentable over the prior art.

Claim 59

Claim 59 is hereby withdrawn. Applicants retain the right to present claim 59 in a divisional application.

to any visual element that can be directly manipulated such as any element that can be the target or source of a conventional drag and drop operation" (col 8, lines 54-58).

⁶Okamoto states,

"In accordance with conventional mouse deselection techniques, if the primary mouse button 12 (FIG.1) is depressed when the pointer 66 is not over any part of the selected source-visual element 70, the selection is canceled" (col 4, lines 21-25).

CONCLUSION

For all the above reasons, applicants submit that the specification and claims are in proper form, and that all claims define patentably over the prior art. Therefore, they submit that this application is in condition for allowance, which action they respectfully solicit.

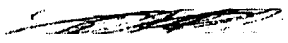

Conditional Request For Constructive Assistance

Applicants have amended the specification and claims of this application so that they define novel structure which is also unobvious over the recited prior art. If this application is, for any reason, considered not to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestion of the Examiner pursuant to MPEP §706.03(d) and §706.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for future proceedings.

Very respectfully,

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